

Appl. No. 09/976 668
Amendment After Final Rejection filed August 3, 2004
(Response to Office Action mailed on April 6, 2004)

REMARKS

Consideration of this Response is respectfully requested. Claims 1-38 are hereby presented; claims 1-23 correspond to claims 1-23 of patent no. 6,027,204 and have been maintained unchanged and new claims 24-38 (corresponding to claims 24-38 previously presented in the Amendment filed on June 11, 2003) are presented. Claims 1-23 stand allowed, and claims 24-38 have been rejected (claim 39, previously proposed, is no longer being added). Claims 1, 4, 15, 17, 20, 21, 24, 28, 32 and 36-38 are independent.

It should be noted that the format used in the listing of claims complies with 37 C.F.R. § 1.173 ("reissue specification, drawings and amendments") - the amendment practice specified in 37 C.F.R. § 1.121 does not apply in reissue applications (37 C.F.R. § 1.121(a)).

The revisions to independent claims 24, 28, 32 and 36-38 are made solely to expedite prosecution, and without conceding the assertions in the Office Action.

STATUS OF CLAIMS (37 C.F.R. § 1.173(c))

Claims 1-38 are pending in this reissue application. Patent claims 1-23 are pending in this application, stand allowed, and have been maintained unchanged. New claims 24-38 were presented in the Amendment entered with the Request for Continued Examination filed on August 4, 2003.

Previously presented claim 39 was objected to only as being dependent upon a rejected base claim, and the Examiner is thanked for the indicated allowability of this claim. In view of the following remarks, each of independent claims 24, 28, 32 and 36-38 have been

Appl. No. 09/976 668
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amended to incorporate the features of claim 39 (since this rendered claim 39 moot, claim 39 no longer is being presented).

Claims 24-38 have been rejected.

Claims 1 (allowed), 4 (allowed), 15 (allowed), 17 (allowed), 20 (allowed), 21 (allowed), 24, 21, 32 and 36-38 are independent.

**EXPLANATION OF SUPPORT IN THE DISCLOSURE
FOR NEW CLAIMS 24-39 (37 C.F.R. § 1.173(c))**

Since the claims have not been changed from the previous version of those claims in the Amendment entered with the Request for Continued Examination filed on August 5, 2003 (the amendment in question involves the mere transposition of subject matter from claim 39 to the rejected independent claims), a detailed Explanation of Support is not believed to be necessary. Instead, reference is made to the prior Explanation of Support in the Disclosure for New Claims 24-39, which is incorporated by reference herein.

**The Rejection
Under 35 U.S.C. § 103**

Claims 24-38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese Laid-Open Patent Appl. No. 4-7185 to Ishii et al. in view of U.S. Patent No. 5,136,308 to Saito et al. Applicants respectfully traverse this rejection, and submit the following arguments in response thereto.

Applicants respectfully submit that since the subject matter of allowable claim 39 (now cancelled) has been incorporated into each of the rejected independent claims, claims 24, 38, 32 and 36-38, claims 24, 28, 32 and 36-38 are now patentable at least for the same reasons as former claim 39.

Appln. No. 09/971,668
Amendment After Final Rejection filed August 3, 2004
(Response to Office Action mailed on April 6, 2004)

This action is made without conceding the propriety of any of the positions taken or statements made in the Office Action.

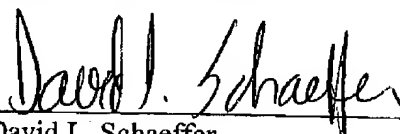
Accordingly, favorable reconsideration and withdrawal of this rejection are respectfully requested.

CONCLUSION

In view of the foregoing revisions and remarks, Applicants respectfully request entry of this Amendment After Final Rejection and submit that entry of this Amendment will place the present application in condition for allowance. It is further submitted that entry of this Amendment can be approved by the Examiner consistent with Patent and Trademark Office practice, since the changes it makes should not require a substantial amount of additional work by the Examiner. It is believed that the changes presented in this Amendment address issues that the Examiner has previously considered.

Favorable consideration and prompt allowance of this application is respectfully requested. In the event that there are any questions, or should additional information be required, please do not hesitate to contact applicant's attorney at the number listed below.

Respectfully submitted,



David L. Schaeffer
Registration No. 32,716
Attorney for Applicants
Stroock & Stroock & Lavan LLP
180 Maiden Lane
New York, New York 10038
(212) 806-6660

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Examiner Michael Brooke Group Art Unit 2853	U.S. Patent and Trademark Office	703-872-9306
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FROM	David L. Schaeffer, Reg. No. 32,716	
SENDER'S FAX NO.	212-806-6006	
SENDER'S PHONE NO.	212-806-6677	
SENDER'S E-MAIL	dschaeffer@stroock.com	
ROOM NO.	3869	
ATTORNEY NO.	3551	
CLIENT/ATTORNEY NAME	U.S. Patent Appln. No. 09/976,668	
CLIENT/ATTORNEY NO.	524941/0007	

MESSAGE

inclosed please find:

- 1. Certificate of Transmission;
- 2. Petition for Extension of Time... (PTO/SB/22); and
- 3. Amendment (19 pgs).

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